

105TH CONGRESS
1ST SESSION

H. R. 1468

To amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to modify provisions restricting welfare and public benefits for aliens.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 1997

Mr. LEVIN introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to modify provisions restricting welfare and public benefits for aliens.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. MEDICAID EXCEPTION FOR PERMANENT RESI-**
4 **DENT ALIEN CHILDREN.**

5 Section 402(b)(2) of the Personal Responsibility and
6 Work Opportunity Reconciliation Act of 1996 (8 U.S.C.
7 1612(b)(2)) is amended by adding after subparagraph (D)
8 the following new subparagraph:

1 “(E) MEDICAID EXCEPTION FOR PERMA-
 2 NENT RESIDENT ALIEN CHILDREN.—With re-
 3 spect to eligibility for benefits under paragraph
 4 (3)(C) (relating to the medicaid program), an
 5 alien who —

6 “(A) is lawfully admitted for permanent
 7 residence under the Immigration and National-
 8 ity Act; and

9 “(B) is under 19 years of age.”.

10 **SEC. 2. EXTENSION OF ELIGIBILITY PERIOD FOR SSI AND**
 11 **MEDICAID FOR REFUGEES AND ASYLEES**
 12 **FROM 5 TO 7 YEARS.**

13 (a) SSI.—Section 402(a)(2)(A) of the Personal Re-
 14 sponsibility and Work Opportunity Reconciliation Act of
 15 1996 (8 U.S.C. 1612(a)(2)(A)) is amended by inserting
 16 “(or with respect to eligibility under paragraph (3)(A) 7
 17 years)” after “5 years”.

18 (b) MEDICAID.—Section 402(b)(2)(A) of the Per-
 19 sonal Responsibility and Work Opportunity Reconciliation
 20 Act of 1996 (8 U.S.C. 1612(b)(2)(A)) is amended in
 21 clauses (i), (ii), and (iii) by inserting “(or with respect
 22 to eligibility under paragraph (3)(C) 7 years)” after “5
 23 years” each place it appears.

1 **SEC. 3. SSI ELIGIBILITY FOR QUALIFIED ALIENS WHO BE-**
2 **CAME BLIND OR DISABLED AFTER ADMIS-**
3 **SION.**

4 (a) **ELIGIBILITY.**—Section 402(a)(2) of the Personal
5 Responsibility and Work Opportunity Reconciliation Act
6 of 1996 (8 U.S.C. 1612(a)(2)) is amended by adding after
7 subparagraph (D) the following new subparagraph:

8 “(E) **QUALIFIED ALIENS WHO BECAME**
9 **BLIND OR DISABLED AFTER ADMISSION.**—With
10 respect to eligibility for benefits for the pro-
11 gram defined in paragraph (3)(A) (relating to
12 the supplemental security income program),
13 paragraph (1) shall not apply to an alien who
14 is a qualified alien (as defined in section 431)
15 who became blind or disabled after admission to
16 the United States.”.

17 (b) **ATTRIBUTION OF INCOME.**—Section 421 of the
18 Personal Responsibility and Work Opportunity Reconcili-
19 ation Act of 1996 (8 U.S.C. 1631) is amended by adding
20 at the end the following new subsection:

21 “(g) **SPECIAL RULE FOR SSI BENEFITS FOR BLIND**
22 **AND DISABLED ALIENS.**—Notwithstanding any other pro-
23 vision of this section, subsection (a) shall not apply to ben-
24 efits under section 402(a)(3)(A) (relating to the supple-
25 mental security income program) for an alien who became
26 blind or disabled after admission to the United States.”.

1 (c) NO REIMBURSEMENT REQUIREMENT.—Section
 2 423(d) of the Personal Responsibility and Work Oppor-
 3 tunity Reconciliation Act of 1996 is amended by adding
 4 at the end the following new paragraph:

5 “(12) Benefits under section 402(a)(3)(A) (re-
 6 lating to the supplemental security income program)
 7 for an alien who became blind or disabled after ad-
 8 mission to the United States.”.

9 **SEC. 4. SSI ELIGIBILITY FOR QUALIFIED ALIENS WHO**
 10 **WERE ADMITTED TO THE UNITED STATES BE-**
 11 **FORE ATTAINING 18 YEARS OF AGE AND**
 12 **WERE BLIND OR DISABLED PRIOR TO ADMIS-**
 13 **SION.**

14 (a) ELIGIBILITY.—Section 402(a)(2) of the Personal
 15 Responsibility and Work Opportunity Reconciliation Act
 16 of 1996 (8 U.S.C. 1612(a)(2)) is amended by adding after
 17 subparagraph (E) the following new subparagraph:

18 “(F) QUALIFIED ALIENS WHO BECAME
 19 BLIND OR DISABLED AFTER ADMISSION.—With
 20 respect to eligibility for benefits for the pro-
 21 gram defined in paragraph (3)(A) (relating to
 22 the supplemental security income program),
 23 paragraph (1) shall not apply to an alien who
 24 is a qualified alien (as defined in section 431),
 25 who was admitted to the United States before

1 attaining the age of 18 years, and who was
2 blind or disabled (or for whom the onset of
3 blindness or disability occurred) prior to admis-
4 sion to the United States.”.

5 (b) **ATTRIBUTION OF INCOME.**—Section 421 of the
6 Personal Responsibility and Work Opportunity Reconcili-
7 ation Act of 1996 (8 U.S.C. 1631) is amended by adding
8 at the end the following new subsection:

9 “(g) **SPECIAL RULE FOR SSI BENEFITS FOR BLIND**
10 **AND DISABLED ALIENS.**—Notwithstanding any other pro-
11 vision of this section, subsection (a) shall not apply to ben-
12 efits under section 402(a)(3)(A) (relating to the supple-
13 mental security income program) for an alien who became
14 blind or disabled after admission to the United States or
15 for an alien who was admitted to the United States prior
16 to attaining the age of 18 years and was blind or disabled
17 (or for whom the onset of blindness or disability occurred)
18 prior to admission to the United States.”.

19 (c) **NO REIMBURSEMENT REQUIREMENT.**—Section
20 423(d) of the Personal Responsibility and Work Oppor-
21 tunity Reconciliation Act of 1996 is amended by adding
22 at the end the following new paragraph:

23 “(12) Benefits under section 402(a)(3)(A) (re-
24 lating to the supplemental security income program)
25 for an alien who became blind or disabled after ad-

1 mission to the United States or for an alien who was
 2 admitted to the United States prior to attaining the
 3 age of 18 years and was blind or disabled (or for
 4 whom the onset of blindness or disability occurred)
 5 prior to admission to the United States.”.

6 **SEC. 5. EXCEPTION FOR CERTAIN BLIND AND DISABLED**
 7 **ALIENS TO 5-YEAR INELIGIBILITY OF QUALI-**
 8 **FIED ALIENS FOR FEDERAL MEANS-TESTED**
 9 **PUBLIC BENEFITS.**

10 Section 403(b) of the Personal Responsibility and
 11 Work Opportunity Reconciliation Act of 1996 (8 U.S.C.
 12 1613(b)) is amended by adding after paragraph (2) the
 13 following new paragraph:

14 “(3) EXCEPTION FOR BLIND AND DISABLED
 15 ALIENS.—

16 “(A) An alien who became blind or dis-
 17 abled after admission to the United States.

18 “(B) An alien who was admitted to the
 19 United States before attaining the age of 18
 20 years and who was blind or disabled (or for
 21 whom the onset of blindness or disability oc-
 22 curred) prior to admission to the United
 23 States.”.

1 **SEC. 6. SSI ELIGIBILITY FOR PERMANENT RESIDENT**
2 **ALIENS AT LEAST 76 YEARS OF AGE.**

3 (a) IN GENERAL.—Section 402(a)(2) of the Personal
4 Responsibility and Work Opportunity Reconciliation Act
5 of 1996 (8 U.S.C. 1612(a)(2)) is further amended by add-
6 ing after subparagraph (E) the following new subpara-
7 graph:

8 “(F) PERMANENT RESIDENT ALIENS AT
9 LEAST 76 YEARS OF AGE.—With respect to eli-
10 gibility for benefits under paragraph (3)(A) re-
11 lating to the supplemental security income pro-
12 gram), paragraph (1) shall not apply to an
13 alien who

14 “(i) is lawfully admitted to the United
15 States for permanent residence under the
16 Immigration and Nationality Act; and

17 “(ii) is at least 76 years of age.”.

18 (b) NO REIMBURSEMENT REQUIREMENT.—Section
19 423(d) of the Personal Responsibility and Work Oppor-
20 tunity Reconciliation Act of 1996 is amended by adding
21 at the end the following new paragraph:

22 “(13) Benefits under section 402(a)(3)(A) (re-
23 lating to the supplemental security income program)
24 for an alien who is lawfully admitted to the United
25 States for permanent residence under the Immigra-

1 tion and Nationality Act and is at least 76 years of
2 age.”.

3 **SEC. 7. EFFECTIVE DATE.**

4 (a) IN GENERAL.—Except as provided in subsection
5 (b), the amendments made by this Act shall be effective
6 as if included in the enactment of title IV of the Personal
7 Responsibility and Work Opportunity Reconciliation Act
8 of 1996.

9 (b) EXCEPTIONS.—The amendments made by sec-
10 tions 4, 5, and 6 shall be effective with respect to benefits
11 payable for months after July 1997.”.

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